

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

SEMCRUDE, L.P., *et al.*,

Debtors.

Chapter 11

**Case No. 08-11525 (BLS)
Jointly Administered**

Related to Docket Nos. 7544 and 7545

CONOCOPHILLIPS COMPANY,

Plaintiff,

Adversary No. 08-51457 (BLS)

Related to Adv. Docket Nos. 135 and 136

v.

SEMCRUDE, L.P., *et al.*,

Defendants.

PLAINS MARKETING, L.P.,

Plaintiff,

Adversary No. 09-51003 (BLS)

Related to Adv. Docket Nos. 126 and 127

v.

BANK OF AMERICA, N.A., *et al.*,

Defendants.

J. ARON & COMPANY,

Plaintiff,

Adversary No. 09-50038 (BLS)

Related to Adv. Docket Nos. 227 and 228

v.

SEMGROUP, L.P., *et al.*,

Defendants.

B.P. OIL SUPPLY COMPANY,

Plaintiff,

v.

SEMGROUP, L.P., et al.,

Defendants.

Adversary No. 09-50105 (BLS)

Related to Adv. Docket Nos. 189 and 190

NOTICE OF APPEAL

Defendants in the above-captioned actions, Arrow Oil & Gas, Inc.; Braden-Deem, Inc.; Calvin Noah, d/b/a Calvin Noah Oil Company; CMX, Inc.; Davis Petroleum, Inc.; Daystar Petroleum, Inc.; DC Energy, Inc.; D.E. Exploration, Inc.; Dunne Equities, Inc.; GRA EX, LLC; Herman L. Loeb, LLC; J & D Investments, LLC; L & J Oil Properties, Inc.; Lance Ruffel Oil & Gas Corporation; Landmark Resources, Inc.; Lario Oil & Gas Company; LD Drilling, Inc.; McCoy Petroleum Corporation; McGinness Oil Company of Kansas; Mid-Continent Energy Corporation; Molitor Oil, Inc.; Mull Drilling Company, Inc.; Murfin Drilling Company, Inc.; Osborn Heirs Company, Ltd.; Pickrell Drilling Company, Inc.; RAMA Operating Company, Inc.; Red Oak Energy, Inc.; Ritchie Exploration, Inc.; Short & Short, LLC; Tempest Energy Resources, LP; TGT Petroleum Corporation; Thoroughbred Associates, LLC; Tripower Resources, Inc.; V.J.I. Natural Resources, Inc.; Veenker Resources, Inc.; Vess Oil Corporation; Viking Resources, Inc.; Vincent Oil Corporation; W.D. Short Oil Company, LLC; Wellstar Corporation; White Exploration, Inc.; and White Pine Petroleum Corporation (collectively, the “Producer Defendants”)¹, pursuant to 28 U.S.C. § 158(a)(1) and in accordance with Rules 8001

¹ None of the Producer Defendants listed in this Notice of Appeal have been named as defendants in the *ConocoPhillips Company v. SemCrude, L.P., et al.*, adversary proceeding (No. 08-51547). Further, only Mull

and 8002 of the Federal Rules of Bankruptcy Procedure, hereby give notice they are appealing from the Bankruptcy Court's Order and Accompanying Opinion Denying the Producers' Motions to Dismiss², entered in the above-captioned adversary proceedings on the 9th day of April, 2010, by the Honorable Brendan Linehan Shannon, United States Bankruptcy Court for the District of Delaware.

The relevant parties with respect to the above-captioned proceedings and the names, addresses and telephone numbers of their respective counsel are attached hereto as Exhibit A.

Dated: April 21, 2010

Respectfully submitted,

COLE, SCHOTZ, MEISEL,
FORMAN & LEONARD, P.A.

By: /s/ Karen M. Grivner

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Drilling Company, Inc., Murfin Drilling Company, Inc., and Vess Oil Corporation have been named as defendants in the *Plains Marketing, L.P., v. Bank of America, N.A., et al.*, adversary proceeding (No. 09-51003).

² An order denying a motion to dismiss for lack of subject matter jurisdiction represents a "final order" subject to review on appeal as of right. *See Gibbons v. Stemcor USA (In re B.S. Livingston & Co.)*, 186 B.R. 841, 849-850 (D.N.J. 1995) (citing *Matter of Christian*, 804 F.2d 46, 48 (3d Cir. 1986)).

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EXHIBIT A

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